

Appln. No.: 10/662,458  
Amendment under 37 C.F.R. § 1.111

### **REMARKS**

Claims 1-22 are pending in the application.

Claim 21 is rejected under 35 U.S.C. 112, second paragraph, as allegedly being indefinite.

The Examiner asserts that the method steps of claim 21 are unclear. Specifically, the Examiner asserts that it is not clear how the particles are adsorbed to the polymerization initiating layer.

Applicants have amended claim 21 to clarify the adsorbing step to recite, “absorbing particles onto the graft polymer having a polar group, wherein the particles are particles which are able to mutually interact with the polar group.” Support for this amendment can be found in the description on pages 230-246 (such as the description in the sentence bridging pages 233-234) of the specification. In view of the amendment, Applicants submit that the claims are clear and definite and respectfully request that the Examiner reconsider and withdraw the rejection.

Claims 1, 9-10, and 19-22 have been provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 1-19 of copending Application No. 10/828,472 (US 2004/0209203 A1).

While Applicants respectfully submit that the present invention is not obvious over the claims of U.S. Patent Application No. 10/828,472, to expedite allowance of the present Application, Applicants are submitting herewith a terminal disclaimer to obviate the obviousness-type double patenting rejection over the claims of U.S. Patent Application No. 10/828,472.

Appln. No.: 10/662,458  
Amendment under 37 C.F.R. § 1.111

Claims 1-20 have been rejected under 35 U.S.C. 102(b) as allegedly being anticipated by Kawamura et al., EP 1,211,096 A1 (“Kawamura”).

Applicants respectfully traverse the rejection based on the following comments.

It is clear from the mechanism provided in the attached Appendix, that in the present invention proceeds in a manner such that after subjecting a “polymer having, on a side chain thereof, a crosslinking group and a functional group having polymerization initiating capability” to a crosslinking reaction to form and immobilize the crosslinking structure in a polymerization initiating layer, a compound having a polymerizable functional group is contacted with this polymerization initiating layer, and energy, such as UV light or the like, is supplied thereto, whereby a graft polymer is generated on the polymerization initiating layer.

In contrast, although Kawamura discloses ionically bonding compounds, such as photopolymerization initiators, to a hydrophilic graft polymer present on a support, this reference does not disclose forming a polymerization initiating layer immobilized by a crosslinking reaction, as in the present invention. Although the Examiner refers to Example 4 of this reference, in this example, in order to promote a polymerization reaction between a negative-type photosensitive layer and a surface of a support including a hydrophilic graft polymer, a PET support having acrylic acid grafted thereto is dipped in a solution containing photopolymerization initiators and photosensitizers so that these are adsorbed to the graft polymer. Thus, the constitution of the present invention and that of the technology disclosed in the reference Kawamura are completely difference. Therefore, the present inveniton is not anticipated by Kawamura.

Appln. No.: 10/662,458  
Amendment under 37 C.F.R. § 1.111

In view of the foregoing, Applicants respectfully request that the Examiner reconsider and withdraw the rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

WASHINGTON OFFICE

**23373**

CUSTOMER NUMBER



Jennifer R. Leach  
Registration No. 54,257

Date: July 5, 2005